

Notice of Allowability

Application No.

10/061,982

Examiner

Michael S. A. Delgado

Applicant(s)

KUTARAGI ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/15/2005.
2. ☒ The allowed claim(s) is/are 1-3,5-17 and 19-24 hereafter referred to as 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 6/6/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance²
9. ☐ Other _____.


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Art Unit: 2144

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Jonathan David on 9/7/2006.

The application has been amended as follows:

6.(currently amended) A computer system according to Claim ~~41~~ 14, wherein the content information transmitted to the user computer comprises ~~further comprising means for preparing data for performing at least one of upgrading and debugging for said identified~~ at least one of the programs and data, ~~as said data for updating.~~

Claim 18 is cancelled.

21. (currently amended) A user computer capable of being loaded with a recording medium storing at least one of programs and data, and capable of being connected with a verification server via a network, the verification server being connected to at least one content server via a network and having a content database associated therewith, said and the recording medium having a unique ID, ~~said~~ the user computer comprising:

means for supplying at least one of an ID unique to of the user said computer, an ID unique to of said the recording medium and an ID unique to said of the user, to said the verification server as verification information, when a request for data associated with a desired content to said server is made following operation made by a user;

means for supplying user status information representing a current status of the at least one of programs and data stored in at least one of the recording medium and the user computer to the verification server; and

means for receiving a result of verification from said the verification server; and

means for receiving content information corresponding to the user status information from the desired content server.

Reason For Allowance

1. Claims 1-3, 5-17 and 19-24 hereafter referred to as 1-22 are allowed.
2. The following is an examiner's statement of reasons for allowance: The closet prior art of record (US Patent No. 6,110,041 by Walker et al) does not teach nor suggest in detail the means of using a verification server to check on the current status of a program and data that stored on a recording medium of a user computer in combination with all the elements of each independent claim as argued by the Applicant (See Page 32 of Applicant enabling specification, Page 16 line 17 –Page 17 line 5 of argument presented 6/19/2006). Walker only teaches about using tracking

card that is used to identify a user in order that the user can select his or her preference. In Walker, the status as to a program running on the tracking card is not taught. So as indicated by the above statements, Applicant's arguments have been considered persuasive in light of the claim limitations as well as the enabling portions of the specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571)272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

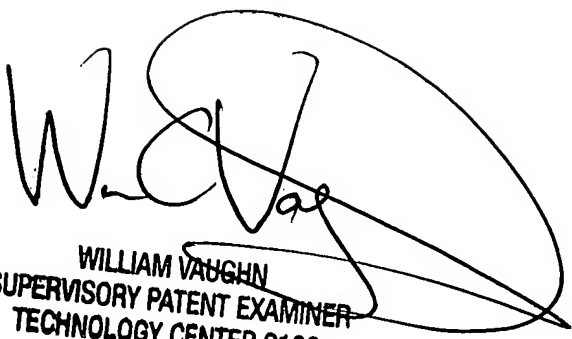
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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